

Inventor(s): MANABE et al.

Appl. No.: 09

.783,035

Series Code ↑

Serial No. ↑

Filed: February 15, 2001

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

Group Art U 2813

Examiner: Christianson, Keith Alan

Atty. Dkt. P 276665

P01-243-USDiv

M#

Client Ref

Appl. Title: LIGHT EMITTING ALUMINUM
GALLIUM INDIUM NITRIDE
COMPOUND SEMICONDUCTOR
DEVICE HAVING AN IMPROVED
LUMINOUS INTENSITY

Date: April 5, 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

- A. ☐ NOT made
B. ☐ Withdrawn
C. ☐ made herewith
D. ☐ made previously

For B & C
See **Required
Separate Paper**
(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	4	**minus 20	0	x \$18/\$9 =	+ \$0 103/203
3. Independent Claims	3	***minus 3	0	x \$84/\$42 =	+ \$0 102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)..... add				+ \$280/\$140 =	+ \$0 104/204
5. Original due Date: April 6, 2002		<input type="checkbox"/> NONE			
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo) \$110/\$55 = (2 mos) \$400/\$200 = (3 mos) \$920/\$460 = (Usable only for ≤ 2mo.OA --- 4 mos) \$1,440/\$720= (Usable only for 30 day/1mo.OA --- 5 mos) \$1,960/\$980=	+ \$110		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$0		
8. Extension Fee Attached			+ \$110		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee			+ \$110/\$55	+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c), add			+ \$180	+ \$0	126
or if Rule 97(d) Request add			+ \$180		126
11. After-Final Request Fee per rules 129(a) and 17(r)			+ \$740/370	+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b)			x \$740/370 ea	+ \$0	149/249
13. Request for Continued Examination (RCE)			+ \$740/370	+ \$0	1179/1279
14. Petition fee for				+ \$0	
15. TOTAL FEE ENCLOSED =				\$110	

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 31317

276665

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Kenneth M. Fagin

Reg. No. 37,615

1600 Tysons Boulevard

McLean, VA 22102

Tel: (703) 905-2000

Sig:

Fax: (703) 905-2500

Tel: (703) 905-2066

Atty/Sec: KMF/VXK

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

MANABE et al.

Appln. No.: 09/783,035

Filed: February 15, 2001

Title: LIGHT EMITTING ALUMINUM GALLIUM INDIUM NITRIDE COMPOUND
SEMICONDUCTOR DEVICE HAVING AN IMPROVED LUMINOUS INTENSITY

Group Art Unit: 2813

Examiner: Christianson, Keith Alan

April 5, 2002

* * * * *

RESPONSE TO RESTRICTION REQUIREMENT

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Responsive to the Restriction Requirement mailed February 6, 2002, Applicants elect Group I consisting of claims 16 and 17 for prosecution in the present application. This election is made with traverse.

In the restriction requirement, the Examiner alleges that the claimed process can be used to make a light-emitting device that does not have a band gap as recited in the device claims. Applicants disagree.

As indicated in the specification (page 4, line 23 through page 5, line 20), when the middle layer is formed between the n-layer and the p-layer, and the middle layer is doped with a p-type dopant, the resulting structure is a double hetero-junction structure. The double hetero-junction structure results in a narrower band gap in the n-layer than in the p-layer. Therefore, the band gap limitation recited in the device claims will inherently result from practicing the method as claimed because a product made by the recited steps will have a double hetero-junction structure. Therefore, the inventions are not independent or distinct, and no serious burden will be placed on the Examiner in having to search all claimed inventions. See M.P.E.P. § 803.

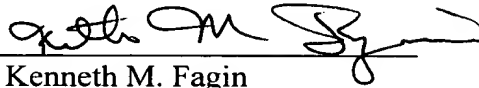
04/08/2002 MNDR1 00000081 09783035

01 73:115

110.00 3P

Timely and favorable consideration of all the claims on the merits are respectfully requested.

Respectfully submitted,
Pillsbury Winthrop LLP

By: 
Kenneth M. Fagin
Reg. No.: 37,615
Tel. No.: (703) 905-2066
Fax No.: (703) 905-2500

KMF\VXK
1600 Tysons Boulevard
McLean, VA 22102

(703) 905-2000